

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NED CHARLES MCNULTY, II,

Plaintiff,

v.

DR. BRIGETTE ESPINOZA,

Defendant.

ORDER

Case No. 25-cv-229-jdp

Plaintiff Ned Charles McNulty, II has filed a proposed civil action under 42 U.S.C. § 1983 alleging that his rights have been violated at Sand Ridge Secure Treatment Center, where plaintiff is in custody under Wis. Stat. Ch. 980. Plaintiff has filed a motion for leave to proceed without prepaying the filing fee. As proof of indigence, plaintiff has submitted a certified copy of a resident account statement.

After considering the motion and the supporting documentation, I conclude that plaintiff qualifies for indigent status. Using information from the account statement for the six-month period preceding the filing of this case, I have determined that plaintiff owes an initial partial payment of \$4.47. For this case to proceed, plaintiff must pay this amount by May 23, 2025.

ORDER

IT IS ORDERED that:

1. The motion by plaintiff Ned Charles McNulty, II for leave to proceed without prepaying the filing fee is GRANTED. Plaintiff is assessed an initial partial

payment of \$4.47. Plaintiff must submit a check or money order payable to the clerk of court for \$4.47 by May 23, 2025. If plaintiff fails to make the payment or fails to show cause why the payment could not be made, then I will assume that plaintiff wishes to withdraw this case voluntarily. In that event, the case will be dismissed without prejudice to plaintiff refiling at a later date.

2. No further action will be taken in this case until the clerk's office receives the initial partial payment as directed above and the court has screened the complaint as required under 28 U.S.C. § 1915(e)(2). Once the screening process is complete, the court will issue a separate order.

Entered this 29th day of April, 2025.

BY THE COURT:

/s/

ANDREW R. WISEMAN
United States Magistrate Judge